

In The United States District Court
For The Middle District of Alabama
2006 FEB-2 A.M.
Northern Division

Jeffery Baker Jr.,
Petitioner

vs.

Russell Thomas, as Sheriff, and
TROY KING, Attorney General
Respondents

Case No. 2:06-cv-61-ID

To: The Honorable Ira De MENT, Senior United States
District Judge

Petitioner's Proof of filing fee and objection
to The magistrate Order

Comes now the Petitioner, Jeffery Baker Jr, pro-se,
unlearned in law and subject to error, respectfully, and
in good faith, and submits proof of the filing fee in
accordance with the applicable Rule, Rule 3 of 28 U.S.C.,
§ 2254 and to object to the order issued by the magistrate
Judge in the case, for good cause, Petitioner shows the
following:

1-

1- On January 20, 2006, Petitioner caused the instant petition
for Habeas Corpus relief to be mailed to the Clerk of The
United States District Court for the Middle District of
Alabama, together with the attached money order (Stub)

Number 54962046293 in the amount of 5.00. On January 23rd, 2006, the clerk for the above-named Court acknowledged receipt of the filing fee and issued the attached filing fee and ~~to~~ the attached receipt of payment No. 109056.

2- On January 30th 2006, The magistrate Judge issued an order contending that the Petitioner failed to pay the required filing fees(s). However prior to the issuance of the above-stated order the Magistrate had foreknowledge, actual or constructive that Petitioner had in fact submitted the required filing fee and the Habeas Petition had been properly docketed and, reassigned.

Objection

3- Petitioner objects strongly to the unreasonable and unreasonable delays in the due process of his Habeas Petition in accordance with the rules governing Habeas Petitions properly submitted to this Court. Petitioner shows he is denied "due Process and Equal Protection ~~保障~~ secured by the United States Constitution, and Laws of The United States by undue action(s) of The magistrate Judge and Clerk(s) of Court as styled above.

4- The issues presented in the Habeas Petition are circumvented by the undue delay and processing, and abates Respondents timely answer in accordance with Rule 5 (b) and the same action(s) deprives Petitioner of the Habeas Corpus relief sought.

Wherefore, it is clear the filing fee was received and the
(2)

the cause was properly docketed in accordance with Rule 3, and preliminary review by the Court pursuant to Rule 4, the answer of Respondents is appropriate under the federal Constitution and laws, providing for Due Process and Equal Protection, it is so prayed and respectfully submitted in good faith.

Jeffrey Baker
Jeffrey Baker Jr. Petitioner

Certificate of Service

I hereby certify that I have the day February 1st 2006 served the foregoing document(s) along with proof of filing fee on the following by United States mail with postage prepaid and properly addressed as follows:

Clerk United States District Court
for the Middle District of Alabama
P.O. Box 711
Montgomery, Alabama 36101-0711

Jeffrey Baker Jr.
Jeffrey Baker Jr.,

Jeffery Baker, Jr.
Pike County Jail
120 W. Church Street
Troy, AL 36081



AO82 SWEDA
(Rev. 4/91)

ORIGINAL
RECEIPT FOR PAYMENT
UNITED STATES DISTRICT COURT
for the

109056

MIDDLE DISTRICT OF ALABAMA
at MONTGOMERY

Fund	Deposit Funds	109056*		
6855XX	Registry Funds			
604700	General and Special Funds			
508800	Immigration Fees	000332P		
085000	Attorney Admission Fees		HABEAS CORPUS	
086900	Filing Fees		086900	5.00
322340	Sale of Publication			##
322350	Copy Fees			
322360	Miscellaneous			TOTAL 5.00
143500	Interest			M/DR 5.00
322380	Recoveries of Court Costs			CHANGE 0.00
322386	Restitution of U.S. Government			1 ITM-CT
121000	Conscience Fund	01/23/06		122632A000 11:25
129900	Gifts			
504100	Crime Victims Fund			
613300	Unclaimed Monies			
510000	Filings Spec. Acct.			
510100	Registry Admin. Acct.			

CASE REFERENCE:

2:06cv601-wkw

RECEIVED FROM

Jeffery Baker, Jr.

120 W. Church St.

Troy, AL 36081

Jeffery Baker v.

Russell Thomas, et al

THIS IS A RECEIPT, NOT A BILL

DEPUTY CLERK WJD

Checks and drafts are accepted subject to collection and full credit will only be given when the check or draft has been accepted by the financial institution on which it was drawn.

Jeffrey Parker Jr.

Office of The Clerk of Court
United States District Court
for The Middle District of Alabama
P.O. Box 711
Montgomery, Alabama 36101-0711

